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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 BENJAMIN SOMERLOTT,

11 Plaintiff,

12 v.

13 MCNEILUS TRUCK AND
14 MANUFACTURING INC,

15 Defendant.

CASE NO. C16-789 MJP

ORDER ON MOTION RE:
ECONOMIC EXPERTS

16 The above-entitled Court, having received and reviewed:

- 17 1. Defendant's Motion to Exclude Plaintiff's Economic Expert (Dkt. No. 60); Plaintiff's
18 Response to Motion to Strike Neil Bennett (Dkt. No. 67); Defendant's Reply to
19 Plaintiff's Response (Dkt. No. 68); and Plaintiff's Surreply/Motion to Strike (Dkt.
20 No.); Plaintiff's Surreply to Reply (Dkt. No. 72);
21 2. Plaintiff's Motion to Designate Neil Bennett (Dkt. No. 62); Plaintiff's Motion to
22 Exclude William Skilling (Dkt. No. 63); Defendant's Response to Plaintiff's Motions
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1 to Designate and Exclude (Dkt. No. 65); Plaintiff's Reply to Defendant's Response
2 (Dkt. No. 69);

3 all attached declarations and exhibits; and all relevant portions of the record, rules as follows:

4 IT IS ORDERED that Defendant's motion to exclude Plaintiff's economic expert Neil
5 Bennett as untimely disclosed is GRANTED, and Plaintiff's motion for leave to designate Neil
6 Bennet as his economic expert is DENIED.

7 IT IS FURTHER ORDERED that Plaintiff's surreply/motion to strike portions of
8 Defendant's reply (Dkt. No. 68) is DENIED as MOOT.¹

9 IT IS FURTHER ORDERED that Plaintiff's motion to exclude William Skilling is
10 DENIED.

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12 The clerk is ordered to provide copies of this order to all counsel.

13 Dated: October 12, 2017.

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16 Marsha J. Pechman
17 United States District Judge
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23 ¹ Defendant's motion to exclude Plaintiff's economic expert is granted solely on the grounds that the expert was not
24 timely disclosed. Other evidence cited and opinions expressed by Defendant in its briefing on the motion did not
form any part of the basis of the Court's ruling, therefore Plaintiff's motion to strike such evidence is moot.